



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
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July 18, 2005

Mr. Joseph Hue
545 Fountainbleau Drive
Baton Rouge, LA 70819

Re: Ethics Board Docket No. 2005-429

Dear Mr. Hue:

The Louisiana Board of Ethics, at its July 14, 2005 meeting, considered your request for an advisory opinion as to whether you may contract with local Councils of Aging to perform accounting and budget preparation services once you retire from the Louisiana Office of Elderly Affairs. You stated that you are employed by the Office of Elderly Affairs as a program auditor. As a program auditor, you perform financial audits of the local Councils on Aging, review and approve their budgets, review their monthly financial reports, and review their independent audits. After you retire, you would like to contract directly or through an accounting firm with individual Councils on Aging to provide accounting and budget preparation services. Based on a review of the applicable statutes and a series of Attorney General Opinions, Councils on Aging appear to be quasi-public, non-profit corporations, which are instrumentalities of local parish governments.

The Board concluded, and instructed me to inform you that you are not prohibited by Section 1121B of the Code of Governmental Ethics from contracting directly with or through an accounting firm to provide accounting services to local Councils on Aging. Section 1121B of the Code prohibits a public servant assisting a person, for compensation, in a transaction involving his former agency in which he had participated while employed by the agency and from contracting with his former agency to provide the same services which he had provided while publicly employed. Since you will not be contracting with your former agency to provide such services to the Councils on Aging, the proposed contractual agreements are not prohibited.

The Board issues no opinion as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 763-8777.

Sincerely,

LOUISIANA BOARD OF ETHICS

A handwritten signature in cursive script that reads "Peggy A. Sabadie".

Peggy A. Sabadie
For the Board